

No.

200000073



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Seminis Vegetable Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Grizzly'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this nineteenth day of April, in the year two thousand and five.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. Include form number and date on all reproductions.

FORM APPROVED - OMB NO. 0581-0065

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)

Seminis Vegetable Seeds, Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

PSR 7328

3. VARIETY NAME

'Grizzly'

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)

RAO
6/27/01 ~~37437 State Hwy 16~~ 2700 Camino del Sol
~~Woodland CA 95695~~ Oxnard, CA
93030-7967

6. TELEPHONE (include area code)

(530) 666-0931

6. FAX (include area code)

(530) 666-6791

FOR OFFICIAL USE ONLY

PVPO NUMBER

200000073

FILED
DATE

Dec. 6, 1999

7. GENUS AND SPECIES NAME

Lactuca Sativa L.

8. FAMILY NAME (Botanical)

Asteraceae

9. CROP KIND NAME (Common name)

Lettuce

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)

Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION

California

12. DATE OF INCORPORATION

1962

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE, IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

Sharen Chaffin
Seminis Vegetable Seeds, Inc.
37437 State Hwy 16
Woodland CA 95616

Marcel Bruins
Seminis Vegetable Seeds, Inc.
Nude 54D
6702 DN Wageningen
The Netherlands
mbruins@svseeds.nl
Ph: 31 317 450218 Fax: 31 317 450217

14. TELEPHONE (include area code)

011 31 317 450218

15. FAX (include area code)

011 31 317 450217

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instr.)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
- b. ☒ Exhibit B. Statement of Distinctness
- c. ☒ Exhibit C. Objective Description of the Variety
- d. ☐ Exhibit D. Additional Description of the Variety (Optional)
- e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership
- f. ☒ Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)
- g. ☐ Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 63(e) of the Plant Variety Protection Act)

☒ YES (If "yes," answer items 18 and 19 below)

☒ NO (If "no," go to item 20)

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES

☒ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION

☐ REGISTERED

☐ CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

☒ YES (If "yes," give names of countries and dates)

☐ NO

USA

Supt 1999

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))

SIGNATURE OF APPLICANT (Owner(s))

NAME (Please print or type)

NAME (Please print or type)

CAPACITY OR TITLE

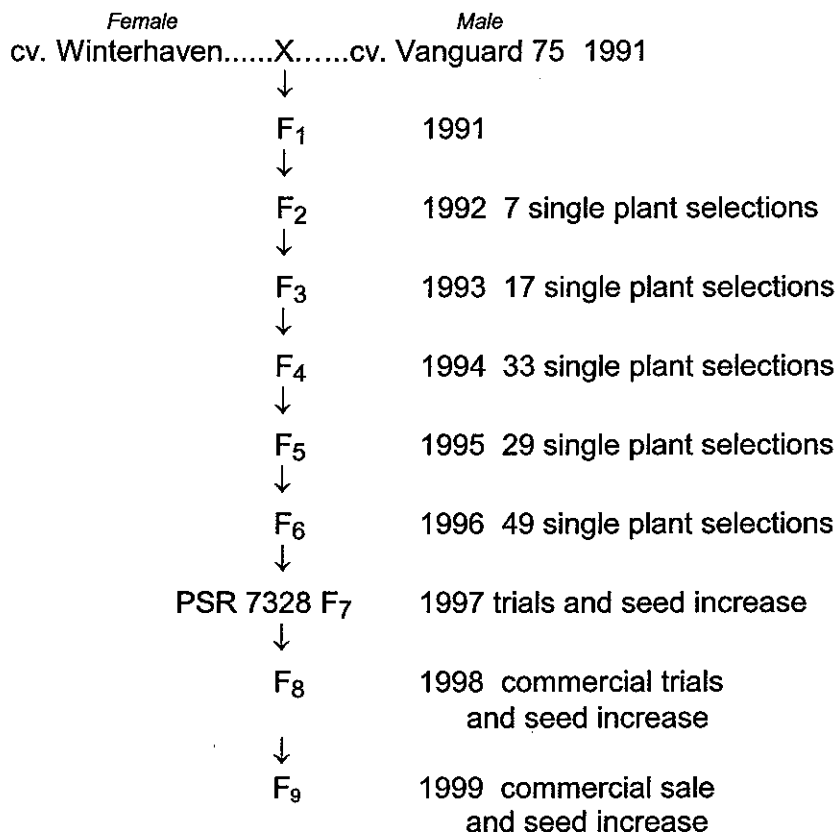
DATE

CAPACITY OR TITLE

DATE

Director

12-3-99

Exhibit 16A. Origin and Breeding History of Lettuce cv. Grizzly (PSR 7328)**Pedigree of cv. Grizzly**

Cv. Grizzly (PSR 7328) originated in 1991 with the cross cv. Winterhaven by cv. Vanguard 75. Single plant selections were made in subsequent years in the areas of intended commercialization. By F₇ a group of 6 families was judged uniform and bulked for trialing and seed increase. An F₈ mass was trialed during 1998 and an increase of F₉ seed was produced in the San Joaquin Valley of California the same year.

The breeding work was carried out by Dr. William Waycott at the Petoseed Company's Research Station at Arroyo Grande, California. Petoseed Company was purchased by Seminis Vegetables Seeds, Inc/ in 1995, and the work continued by the same staff at the Arroyo Grande location until the present. Field trials were conducted in production areas throughout the Desert Southwest of North America during 1997 and 1998.

The breeding method employed was pedigree selection, using both single plant selection and mass selection practices. The selection criterion for cv Grizzly was to breed a cultivar with increased uniformity, and improved heading ability, when compared to the most similar variety, cv. Winterhaven.

In trials of cv. Grizzly during the last seven years covering generations F₇ to F₁₄, we have seen neither genetic variants nor off-types in more than 15,000 plants, indicating that this variety is genetically uniform and stable.

Exhibit 16B. Novelty Statement of Lettuce cv. Grizzly (PSR 7328)

Cv. Grizzly is described as a large, vigorous crisphead lettuce cultivar adapted to the desert southwest areas of North America. Its optimum sowing period is October with a harvest period from mid January to mid February in western Arizona and Southern California. Cv. Grizzly has downy mildew resistance to California Pathotype III. Cv. Grizzly was selected for improved performance compared to the currently commercial cultivars grown during these production periods.

Phenotypically, cv. Grizzly is distinct from its most similar commercial cultivars, cv. Winterhaven (**Table 1**). Cv Grizzly slightly larger in size compared to cv. Winterhaven (**48.4cm vs. 46.2cm**), slightly lighter in color (**RHS color chart 146A**), and more uniform in head formation. In replicated field trials, cv Grizzly consistently exhibited more plants with round, firm, heavy heads, while a cv Winterhaven exhibited less uniformity of heading with several plants having soft or puffy heads (**1508.3g vs. 1454.5g**).

The data presented here are statistically different at the 95% confidence level, exhibiting a range of means for plant diameter from 48.24 to 48.51 for cv. Grizzly and from 45.91 to 46.39 for cv. Winterhaven, of means for head diameter from 19.94 to 20.16 for cv. Grizzly and 18.18 to 18.57 for cv. Winterhaven, and of means for head weight from 1507.02 to 1509.50 for cv. Grizzly and from 1452.70 to 1456.30 for cv. Winterhaven, using the 0.95 probability of generating confidence intervals (CI) that contains the means.

Table 1. Evaluation of Grizzly (PSR 7328) and the most similar cultivar, Winterhaven, for several important characters.

Trial No	Cultivar	Downy Mildew Resist. ^b			Plant Diam. ^c	Head Diam. ^d	Head Weight ^e	No. of Days to 15 cm ^f
		Rep. No.	Color ^a					
Trial 1: Evaluated 27 Jan 99 Yuma, AZ	Grizzly:	Rep. 1	146A	III	48.8 ± 0.6	19.7 ± 0.4	1505 ± 5.5	50
		Rep. 2	146A	III	48.1 ± 0.4	19.9 ± 0.5	1516 ± 5.1	51
		Average: 146A			48.5 ± 0.5	19.8 ± 0.5	1511 ± 5.3	51
		Rep. 1	146A	III	45.7 ± 0.8	18.5 ± 0.8	1465 ± 8.4	63
	Winterhaven:	Rep. 2	146A	III	46.4 ± 1.2	18.0 ± 0.9	1451 ± 7.9	64
		Average: 146A			46.1 ± 1.0	18.3 ± 0.9	1458 ± 8.2	64
Trial 2: Evaluated 10 Feb 99 Yuma, AZ	Grizzly:	Rep. 1	146A	III	48.0 ± 0.8	20.8 ± 0.6	1512 ± 5.8	52
		Rep. 2	146A	III	48.6 ± 0.6	19.8 ± 0.4	1500 ± 5.6	50
		Average: 146A			48.3 ± 0.7	20.3 ± 0.5	1506 ± 5.7	51
		Rep. 1	146A	III	46.5 ± 1.3	18.1 ± 1.0	1443 ± 7.8	63
	Winterhaven:	Rep. 2	146A	III	46.0 ± 1.0	18.9 ± 0.8	1459 ± 8.0	64
		Average: 146A			46.3 ± 1.2	18.5 ± 0.9	1451 ± 7.9	64

Range of variation among means of statistically significant differences at the 95% level using the confidence interval [CI = mean ± (SDXSE)]:

cv. Grizzly (PSR 7328) 48.24 to 48.51 19.94 to 20.16 1507.02 to 1509.50
 cv. Winterhaven 45.91 to 46.39 18.18 to 18.57 1452.70 to 1456.30

^a Color evaluation was done using the Royal Horticultural Society color chart, U.K.

^b Downy mildew survey reported as resistance to California Pathotypes I through V, using two replications each having 15 seedlings, grown in laboratory screens.

^c Mean plant diameter using two sowing dates of 20 plants per replication in cm ± standard deviation.

^d Mean head diameter using two sowing dates of 20 plants per replication in cm ± standard deviation.

^e Mean head weight using two sowing dates of 20 plants per replication in grams ± standard deviation.

^f Mean number of days until stem reaches 15 cm using two replications of 20 plants each.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION
OBJECTIVE DESCRIPTION OF VARIETY
LETTUCE *Lactuca sativa*

EXHIBIT

NAME OF APPLICANT (S) Seminis Vegetable Seeds, Inc.	FOR OFFICIAL USE ONLY PVP NUMBER <div style="font-size: 1.5em; font-weight: bold;">200000073</div>
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) 37437 State Hwy 16 Woodland CA 95695	VARIETY NAME <div style="font-size: 1.2em;">PSR 7328 'Grizzly'</div>
	EXPERIMENTAL DESIGNATION <i>MAH</i> <div style="text-align: right;">3/31/02</div>

Place numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is:	Color System Used:
-----------------------------------	--------------------

1. PLANT TYPE: (See list of suggested check varieties page 4.)

06

- | | | |
|-------------------|---------------------------|----------|
| 01=Cutting/Leaf | 05=Great Lakes Group | 09=Stem |
| 02=Butterhead | 06=Vanguard Group | 10=Latin |
| 03=Bibb | 07=Imperial Group | 11=OTHER |
| 04=Cos or Romaine | 08=Eastern (Ithaca) Group | |

2. SEED:

- | COLOR | LIGHT DORMANCY | HEAT DORMANCY |
|-----------------------|----------------------|-------------------|
| 1=White (Silver Gray) | 1=Light Required | 1=Susceptible |
| 2=Black (Gray Brown) | 2=Light Not Required | 2=Not Susceptible |
| 3=Brown (Amber) | | |

2

2

1

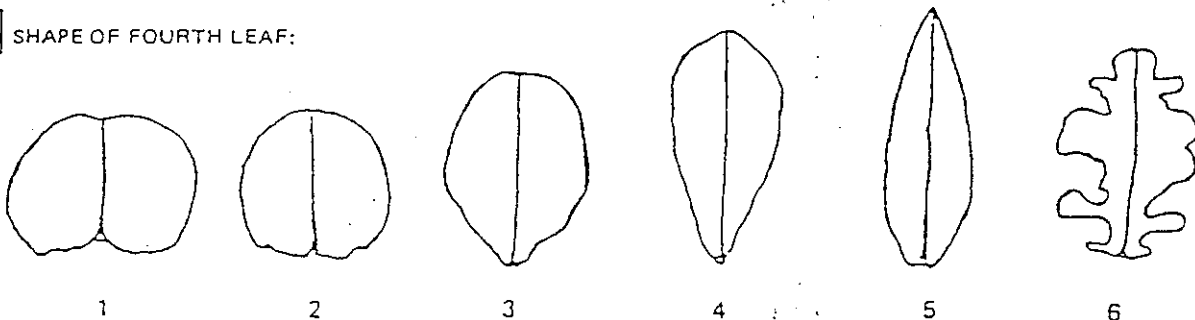
3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.

2

- SHAPE OF COTYLEDONS: 1=Broad 2=Intermediate 3=Spatulate

3

SHAPE OF FOURTH LEAF:



15

LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

2

APICAL MARGIN:

- | | | |
|------------------|----------------------|-------------------|
| 1=Entire | 4=Moderately Dentate | 7=Lobed |
| 2=Crenate/Gnawed | 5=Coarsely Dentate | 8=OTHER (specify) |
| 3=Finely Dentate | 6=Incised | |

5

BASAL MARGIN:

2

UNOULATION:

- | | | | |
|--------|----------|----------|----------|
| 1=Flat | 2=Slight | 3=Medium | 4=Marked |
|--------|----------|----------|----------|

4

GREEN COLOR:

- | | | | |
|----------------|----------------|----------------|--------------|
| 1=Yellow Green | 3=Medium Green | 5=Blue Green | 7=Gray Green |
| 2=Light Green | 4=Dark Green | 6=Silver Green | |

ANTHOCYANIN:

1

DISTRIBUTION:

- | | | |
|---------------|--------------|-------------------|
| 1=Absent | 3=Spotted | 5=OTHER (specify) |
| 2=Margin Only | 4=Throughout | |

1

CONCENTRATION:

- | | | |
|---------|------------|-----------|
| 1=Light | 2=Moderate | 3=Intense |
|---------|------------|-----------|

1

ROLLING:

- | | |
|----------|-----------|
| 1=Absent | 2=Present |
|----------|-----------|

1

CUPPING:

- | | | |
|------------|----------|------------|
| 1=Uncupped | 2=Slight | 3=Markedly |
|------------|----------|------------|

1

REFLEXING:

- | | | |
|--------|-----------------|-------------------|
| 1=None | 2=Apical Margin | 3=Lateral Margins |
|--------|-----------------|-------------------|

4. MATURE LEAVES (observe harvest-mature outer leaves):

NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

MARGIN:

<input type="checkbox"/> 2	INCISION DEPTH: (deepest penetration of the margin)	1=Absent/Shallow (Dark Green Boston)	2=Moderate (Vanguard)	3=Deep (Great Lakes 659)
<input type="checkbox"/> 4	INDENTATION: (finest divisions of the margin)	1=Entire (Dark Green Boston) 2=Shallowly Dentate (Great Lakes 65)	3=Deeply Dentate (Great Lakes 659) 4=Crenate (Vanguard)	5=OTHER (specify)
<input type="checkbox"/> 2	UNDULATION OF THE APICAL MARGIN:	1=Absent/Slight (Dark Green Boston)	2=Moderate (Vanguard)	3=Strong (Great Lakes 659)
<input type="checkbox"/> 4	GREEN COLOR:	1=Very Light Green (Bibb) 2=Light Green (Minetto)	3=Medium Green (Great Lakes) 4=Dark Green (Vanguard)	5=Very Dark Green 6=OTHER
ANTHOCYANIN (grown at or below 10 C):				
<input type="checkbox"/> 1	DISTRIBUTION:	1=Absent 2=Margin Only (Big Boston)	3=Spotted (Calif. Cream Butter) 4=Throughout (Prize Head)	5=OTHER (specify)
<input type="checkbox"/> -	CONCENTRATION:	1=Light (Iceberg)	2=Moderate (Prize Head)	3=Intense (Ruby)
<input type="checkbox"/> 3	SIZE:	1=Small	2=Medium	3=Large
<input type="checkbox"/> 1	GLOSSINESS:	1=Dull (Vanguard)	2=Moderate (Salinas)	3=Glossy (Great Lakes)
<input type="checkbox"/> 2	BLISTERING:	1=Absent/Slight (Salinas)	2=Moderate (Vanguard)	3=Strong (Prize Head)
<input type="checkbox"/> 2	LEAF THICKNESS:	1=Thin	2=Intermediate	3=Thick
<input type="checkbox"/> 2	TRICHOMES:	1=Absent (smooth)	2=Present (spiny)	

5. PLANT (at market stage. Choose a comparison variety appropriate for this type.):

<input type="checkbox"/> 49	SPREAD OF FRAME LEAVES:	<input type="checkbox"/> 46 cm This Variety	<input type="checkbox"/> 46 cm WINTERHAVEN (specify comparison variety)
<input type="checkbox"/> 20	HEAD DIAMETER (market trimmed with single cap leaf):	<input type="checkbox"/> 18 cm This Variety	<input type="checkbox"/> 18 cm WINTERHAVEN (specify comparison variety)
<input type="checkbox"/> 3	HEAD SHAPE:	1=Flattened 2=Slightly Flattened	3=Spherical 4=Elongate 5=Non-Heading 6=OTHER
<input type="checkbox"/> 3	HEAD SIZE CLASS:	1=Small	2=Medium 3=Large
<input type="checkbox"/> 24	HEAD COUNT PER CARTON		
<input type="checkbox"/> 1509	HEAD WEIGHT:	<input type="checkbox"/> 1454 g This Variety	<input type="checkbox"/> 1454 g WINTERHAVEN (specify comparison variety)
<input type="checkbox"/> 3	HEAD FIRMNESS:	1=Loose 2=Moderate	3=Firm 4=Very Firm

6. BUTT (bottom of market-trimmed head):

<input type="checkbox"/> 3	SHAPE:	1=Slightly Concave	2=Flat	3=Rounded
<input type="checkbox"/> 1	MIDRIB:	1=Flattened (Salinas)	2=Moderately Raised	3=Prominently Raised (Great Lakes 659)

7. CORE (stem of market-trimmed head):

<input type="checkbox"/> 40	mm Diameter at base of head	
<input type="checkbox"/> 5.0	Ratio of head diameter/core diameter	
<input type="checkbox"/> 32	Core height from base of head to apex:	
<input type="checkbox"/> 33	mm This Variety	<input type="checkbox"/> 33 mm WINTERHAVEN (specify comparison variety)

8. BOLTING (Give First Water Date 19 MAY 98):

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

<input type="checkbox"/> 49	Number of days from First Water Date to seed stalk emergence (summer conditions):	
<input type="checkbox"/> 64	This Variety	<input type="checkbox"/> 64 WINTERHAVEN (specify comparison variety)
<input type="checkbox"/> 4	BOLTING CLASS:	1=Very Slow 2=Slow 3=Medium 4=Rapid 5=Very Rapid
<input type="checkbox"/> 108	Height of mature seed stalk:	
<input type="checkbox"/> 103	cm This Variety	<input type="checkbox"/> 103 cm WINTERHAVEN (specify comparison variety)

58

Spread of Bolter Plant (at widest point):

cm This Variety

48

cm WINTER HAVEN (specify comparison variety)

1

BOLTER LEAVES:

1=Straight

2=Curved

2

MARGIN:

1=Entire

2=Dentate

3

COLOR:

1=Light Green

2=Medium Green

3=Dark Green

BOLTER HABIT:

2

TERMINAL INFLORESCENCE:

1=Absent

2=Present

2

LATERAL SHOOTS: (above head)

1=Absent

2=Present

1

BASAL SIDE SHOOTS:

1=Absent

2=Present

9. MATURITY (earliness of harvest-mature head formation):

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/ # of days	Check 2/ # of days	CHECK VARIETY 2/
Winter	1 0 4	1 1 0	WINTER HAVEN
Summer			
Fall			
Winter			

Give planting date(s), and location(s):

Spring SOUTHERN CALIFORNIA, WESTERN ARIZONA, 1 TO 31 OCTOBER
CENTRAL CALIFORNIA (SAN JOAQUIN VALLEY) 20 TO 31 NOVEMBER

Summer

Fall

Winter

1/ First water date to harvest.

2/ Fill in check variety name on the appropriate line.

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTION (tested and proven adapted):

(0=Not tested

1=Not Adapted

2=Adapted)

2

Southwest (Calif., Ariz. desert)

0

West Coast

0

Northeast

0

Northcentral

0

Southeast

0

OTHER

SEASON:

2

Spring (area

YUMA, IMPERIAL VALLEY
SAN JOAQUIN VALLEY

0

Fall (area

0

Summer (area

0

Winter (area

0

GREENHOUSE:

0=Not tested

1=Not Adapted

2=Adapted

1

SOIL TYPE:

1=Mineral

2=Organic

3=Both

11. DISEASES AND STRESS REACTIONS (0=Not tested; 1=Susceptible; 2=Intermediate; 3=Resistant; 4=Highly resistant; 5=Tolerant):

VIRUS

- ☒ Big Vein
☒ Lettuce Mosaic
☐ Cucumber Mosaic
☐ Broad Bean Wilt
☐ Turnip Mosaic
☐ Beet Western Yellows
☐ Lett. Infectious Yellows
☐ Other Virus _____

FUNGAL/BACTERIAL

- ☐ Corky Root Rot (Pythium Root Rot)
☒ Downy Mildew (Race CAIII)
☐ Powdery Mildew
☐ Sclerotinia Rot
☐ Bacterial Soft Rot (Pseudomonas spp. & others)
☐ Botrytis (Gray Mold)
☐ OTHER _____

INSECTS

- ☐ Cabbage Loopers
☐ Root Aphids
☐ Green Peach Aphid
☐ Other Insect _____

PHYSIOLOGICAL/STRESS

- ☒ Tipburn
☐ Heat
☐ Drought
☒ Cold
☐ Salt
☐ Brown Rib (Rib Discoloration, Rib Blight)
☐ OTHER _____

POST HARVEST

- ☐ Pink Rib
☐ Russet Spotting
☐ Rusty Brown Discoloration
☐ Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)
☐ Brown Stain

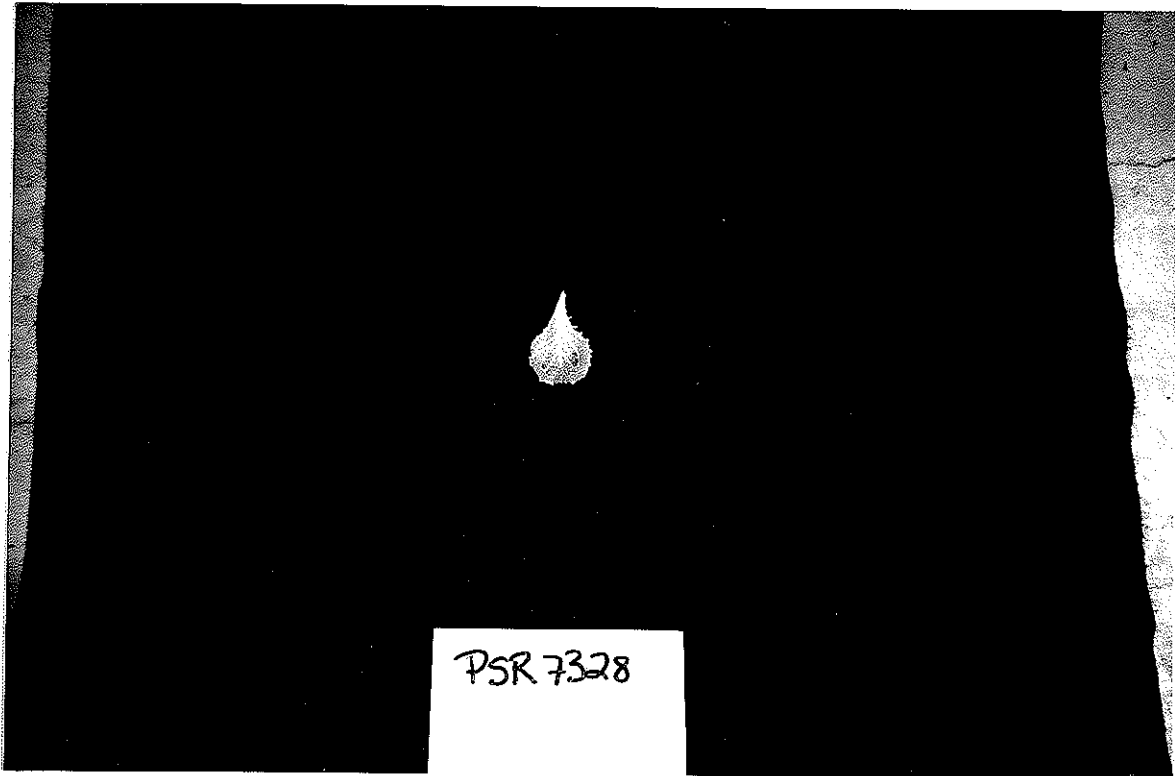
12. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

13. COMMENTS:

SUGGESTED CHECK VARIETIES

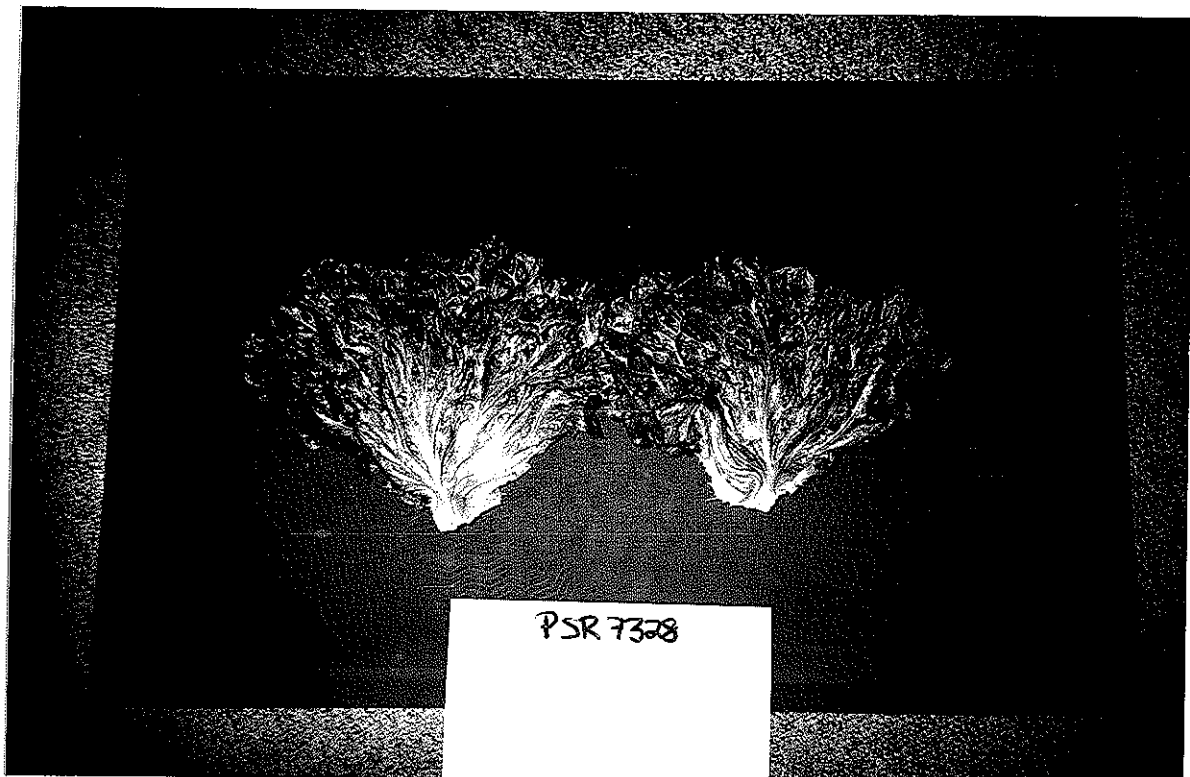
- TYPE
 1) CUTTING/LEAF
 2) BUTTERHEAD
 3) BIBB
 4) COS, OR ROMAINE
 5) GREAT LAKES GROUP
 6) VANGUARD GROUP
 7) IMPERIAL GROUP
 8) EASTERN GROUP
 9) STEM
 10) LATIN

- CHECK VARIETY
 SALAD BOWL
 DARK GREEN BOSTON
 BIBB
 PARRIS ISLAND
 GREAT LAKES 659-700
 VANGUARD
 VIVA
 ITHACA
 CELTUCE
 MATCHLESS



Fourth Leaf from 20-Day old Seedlings, PSR 7328
'Grizzly'

mtt
3/31/05



Harvest-Mature Leaf, PSR 7328

200000073

REPRODUCE LOCALLY. Include form number and edition date on all reproductions.

FORM APPROVED - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Seminis Vegetable Seeds, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER PSR 7328	3. VARIETY NAME Grizzly
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 2700 Camino del Sol Oxnard, CA 93030-7967	5. TELEPHONE (Include area code) (805) 647-1572	6. FAX (Include area code) (805) 918-2545
7. PVPO NUMBER 200000073		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

The variety named in this application was developed by the Seminis Vegetable Seeds, Inc., employee (breeder) named below. Unless otherwise stated, all rights to the varieties developed by Seminis Vegetable Seeds, Inc. are assigned to the Company by agreement or by operation of law. No rights to such invention, discovery or development are retained by the employee(s).

Employee (Breeder): Bill Waycott

Site Location: Arroyo Grande, CA

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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